

IN THE HANCOCK CIRCUIT  
AND SUPERIOR COURTS  
STATE OF INDIANA

IN THE MATTER OF JOINT )  
LOCAL RULES OF COURT )

**NOTICE OF PROPOSED LOCAL RULE AMENDMENT, ORDER FINDING GOOD  
CAUSE TO DEVIATE FROM TIME SCHEDULE FOR ADOPTION, AND REQUEST  
FOR SUPREME COURT APPROVAL**

Pursuant to Trial Rule 81(D) of the Indiana Rules of Trial Procedure, the Judges of the Hancock Circuit and Superior Courts find that good cause exists to deviate from the time schedule established by Trial Rule 81(C), and propose an amendment to the local rule concerning court reporter services at LR 30-AR15-1, effective on April 1, 2009, subject to Supreme Court approval. Comments on these rules may be made until March 22, 2009 to Larry G. Amick, Commissioner, Hancock Superior Court, 9 East Main Street #303, Greenfield, IN 46140 (317) 477-1292, or by at E-Mail: [Lamick@hancockcoingov.org](mailto:Lamick@hancockcoingov.org).

Adopted this 23rd day of February, 2009.

\_\_\_\_\_/S/\_\_\_\_\_  
Richard D. Culver, Judge,  
Hancock Circuit Court

\_\_\_\_\_/S/\_\_\_\_\_  
Terry K. Snow, Judge,  
Hancock Superior Court #1

\_\_\_\_\_/S/\_\_\_\_\_  
Dan E. Marshall, Judge,  
Hancock Superior Court #2

## **LR 30-AR15-1          Court Reporter Services**

### **Section 1 - Definitions**

The definitions contained in Administrative Rule 15(B) are adopted for use in this rule and control any question of interpretation. For the purposes of this rule, the regular hours worked by the court reporting staff shall be Monday through Friday from 8:00 a.m. until 4:00 p.m. with one hour for the noon meal. The workweek shall be a seven-day period commencing with Sunday and ending with the Saturday of each week and contain thirty-five hours for which salaried compensation is paid.

### **Section 2 - Compensation**

A court reporter shall work directly under the control, direction and direct supervision of the court by which they are employed during all hours of employment. Each court reporter shall be paid an annual salary, as set by the court and approved by the county council, for regular hours worked during a workweek. Gap hours shall be separately compensated at a rate equivalent to the hourly rate of the yearly salary and overtime hours shall be separately compensated at a rate equivalent to one and one-half times the hourly rate of the yearly salary.

### **Section 3 - Duties and Responsibilities**

The duties of a court reporter shall include:

- a. reporting the evidence presented in proceedings before the court,
- b. preservation and storage of any physical evidence presented in court proceedings,
- c. preparation of chronological case summary entries at the direction of the court and providing notice thereof as required by the rules of trial procedure,
- d. preparation of written documents to effectuate the rulings, orders and judgments of the court or comply with the rules of the Indiana supreme court,
- e. preparation of transcripts of evidence presented in court proceedings requested pursuant to the rules of trial procedure and
- f. such other functions and responsibilities as required by law or the court for its effective administration.

### **Section 4 - Transcript Preparation**

A reporter shall prepare transcripts of evidence only during regular hours unless requested or ordered to do so by the court, the Indiana Court of Appeals or the Indiana Supreme Court. If a transcript cannot be completed during regular hours due to applicable appellate deadlines, the reporter shall receive additional salary as follows: gap hours shall be paid in the amount equal to the hourly rate of the annual salary, overtime hours shall be paid in the amount of one and one-half times the hourly rate of the annual salary; or compensatory time off shall be given weighted in the same manner. The manner of the provision of such additional salary or time off shall be determined by a written agreement to be freely negotiated and executed between the court and the reporter.

## **Section 5 - Private Practice**

A reporter may elect to engage in the private practice of court reporting, i.e., the recording of and preparation of deposition transcripts; but such activity, regardless of whether the deposition concerns a cause pending before the court, shall be conducted outside of regular hours. If a reporter, in exercise of such private practice, utilizes, with the consent of the court, its facilities, equipment and/or supplies, the reporter shall reimburse the court for such usage pursuant to a written agreement between the court and reporter. Such agreement shall establish the:

- a. reasonable market rate for the use of the equipment, facilities and supplies,
- b. method by which records are kept for the use of the same and
- c. method by which the reporter shall reimburse the court for such usage.

## **Section 6 - Maximum per Page Fees**

The reporter shall not charge more than the following rates per page:

a. Private practice work:

Depositions taken by private counsel:

~~\$3.00 for originals~~ \$3.50 for originals and ~~\$1.75 for copies~~ \$2.25 for copies

Depositions taken by pauper counsel:

~~\$2.50 for originals~~ \$3.00 for originals and ~~\$1.50 for copies~~ \$2.00 for copies

b. Private transcripts of evidence

Cases with private counsel:

~~\$4.25 for originals~~ \$4.75 for originals and ~~\$2.35 for copies~~ \$2.85 for copies

Cases with pauper counsel:

~~\$3.25 for originals~~ \$3.75 for originals and ~~\$1.50 for copies~~ \$2.00 for copies

## **Section 7 - Annual Report**

A court reporter shall annually report all transcript and deposition fees received to the Office of State Court Administration on such forms as may be prescribed.